UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
WILDER, PETER C

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/930,441	LEE, SANG SUN
	Examiner	Art Unit	
	Peter C. Wilder	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>28 February 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Note to Applicant

Art Units 2611, 2614 and 2617 have changed to 2623. Please make all future

correspondence indicate the new designation 2623.

Response to Arguments

Applicant's arguments with respect to claim 1-18 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim 1, 7, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1)

further in view of Lemmons (U.S. 6481011 B1) further in view of Waterhouse et al. (U.S.

5831663 B1).

Referring to claim 1, Bayrakeri teaches a method for setting environment

corresponding to a viewer's taste in a digital TV system including a TV connected with a

server and a network (Column 2 lines 39-45 and Figure 1 teaches a network and a

server and setting envirenments), the method comprising:

transmitting environmental information selected by the viewer to the server using

an initial menu from the TV (Column 26 lines 30-36 teaches transmitting a selection

command of a set of channels which the examiner views as environmental information

to the headend from a STB; Column 25 lines 16-23 along with Figure 3A teaches a

menu screen to make changes of the IPG and Column 23 lines 53-56 teaches parts of

the spotlight window are stored in the terminal; Figure 1 is a depiction of the headend

and Column 4 lines 50-56 teaches the headend having a server element 122 in Figure

1); storing the environmental information into the server to correspond to the viewer's

taste (Column 25 lines 7-8);

transmitting a download request of environmental information inputted by the

viewer from the TV to the server (Column 25 lines 11-13 teaches transmitting a

download request from the STT to the headend); transmitting the environmental

information corresponding to the download request from the server to the TV (Column

25 lines 13-15);

and executing the environmental information downloaded to the TV (Column 25

lines 13-15 the examiner reads "executing" in the claim as the same as "processes" in

the reference),

wherein the environmental information comprises information related to channel

settings (Column 25 lines 46-47 teaches inclusion of a channel in an IPG);

but fails to teach environmental information adjustments related to broadcast

reservation settings, environmental information adjustments related to screen color, and

the method occurring inside a TV.

In an analogous art Schein teaches environmental information adjustments

related to broadcast reservation settings (Column 16 lines 34-37 teaches setting

reminders in to record or retrieve videos which is a type of broadcast reservation

setting).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the environment modifying function/device of Bayrakeri

using the program reservation function/device of Schein for the purpose of making sure

a consumer never misses a favorite program (Column 16 lines 37-38, Schein).

Bayrakeri and Schein fail to disclose environmental information adjustments

related to screen color settings and the method occurring inside a TV.

In an analogous art Lemmons teaches environmental information adjustments

related to screen color settings (Column 5 lines 53-59 teaches using menus to adjust

the color of programs in the program guide).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combine methods of Bayrakeri and Schein using

the color setting function/device of Lemmons for the purpose of setting up a program

guide indicative of a user's interests (Column 1 lines 62-63, Lemmons).

Bayrakeri, Schein, and Lemmons fail to disclose the method occurring inside a

TV.

In an analogous art Waterhouse teaches the method occurring inside a TV (Column 3 lines 6-7 teaches an addressable unit inside a television set, Column 22-24 teaches the receiver box which the examiner views to be another term for a set top box located inside a television).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the to modify the combine methods of Bayrakeri, Schein, and Lemmons using the combined TV and set-top box function/device of Waterhouse for the purpose of not needing a separate supply voltage to power the microprocessor in the set top terminal (Column 4 lines 24-24, Waterhouse).

Referring to claim 7, corresponding to claim 1, Bayrakeri teaches wherein the downloaded environmental information is changed into the viewer's environments through an environment change program (Column 25 lines 13-15 teaches receiving and processing, and modifying the Custom-IPG; Column 19 lines 26-30 teaches programs running on the set-top box so the Custom-IPG would be changed using a program).

Referring to claim 11, Bayrakeri teaches digital TV system for setting a viewer's environments using a network, the system comprising:

a server for storing environmental information selected by the viewer (Column 25 lines 7-8 teaches storing the IPG at the head-end which would require a server to store

it on and Figure 1 element 122 is an information server), the server providing the

environmental information when the viewer requests download (Column 25 lines 11-13

teaches a download request being transmitted, so the server that is storing the IPG

would have to provide the IPG when it is requested);

a network for connecting to the server (Figure 1 element 104 teaches a

distribution network between the head-end and the set-top boxes and TVs); and

a controller for transmitting the environmental information to the server (Column

26 lines 24-27 teaches the set-top box as the controller and Column 26 lines 31-38

teaches sending up environmental information to the head end), the controller

transmitting the download request to the server when the viewer requests download of

the environmental information (Figure 1 teaches the information system element 100

which includes the head end element 102 is connected to the set-top box/controller

element 106; Column 6 lines 54-58 teaches element 270 a controller inside the set-top

box executing user interaction routines; the examiner views an IPG download request

as a user interaction routine), the controller executing the environmental information

downloaded from the server and changing the former environments into environments

suitable for the viewer's taste (Column 25 lines 13-15 the examiner reads "executing" in

the claim as the same as "processes" in the reference; Column 25 lines 13-15 teaches

receiving and processing, and Modifying the Custom-IPG which would be of course to

be to the viewers taste since its "custom"),

wherein the environmental information comprises information related to channel

settings (Column 25 lines 46-47 teaches inclusion of a channel in an IPG);

but fails to teach wherein environmental information comprises information related to broadcast reservation settings and screen color settings; and the system occurring inside a TV.

In an analogous art Lemmons teaches environmental information adjustments related to screen color settings (Column 5 lines 53-59 teaches using menus to adjust the color of programs in the program guide).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the environment modifying function/device of Bayrakeri using the color setting function/device of Lemmons for the purpose of setting up a program guide indicative of a user's interests (Column 1 lines 62-63, Lemmons).

Bayrakeri and Lemmons fail to teach the system occurring inside a TV and environmental information adjustments related to broadcast reservation settings.

In an analogous art Waterhouse teaches the system occurring inside a TV (Column 3 lines 6-7 teaches an addressable unit inside a television set, Column 22-24 teaches the receiver box which the examiner views to be another term for a set top box located inside a television).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combine systems of Bayrakeri and Lemmons using the combined TV and set-top box function/device of Waterhouse for the purpose of not needing a separate supply voltage to power the microprocessor in the set top terminal (Column 4 lines 24-24, Waterhouse).

Bayrakeri, Lemmons, and Waterhouse fail to teach environmental information adjustments related to broadcast reservation settings.

In an analogous art Schein teaches environmental information adjustments related to broadcast reservation settings (Column 16 lines 34-37 teaches setting reminders in to record or retrieve videos which is a type of broadcast reservation setting).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combine systems of Bayrakeri, Lemmons, and Waterhouse using the program reservation function/device of Schein for the purpose of making sure a consumer never misses a favorite program (Column 16 lines 37-38, Schein).

Referring to claim 12, Bayrakeri teaches the digital TV system according to claim 11, further comprising a memory for storing a menu for setting environments (Figure 2 elements 276-2 and 276-1 teaches memory in controller 270 which is inside the set-top box which is also considered the controller by the examiner; Column 6 lines 54-58 teaches the memory is used for dynamic overlays involving user interaction routines which customizing a IPG is considered), a program for executing the environmental information and the viewer's changed environments (Column 25 lines 13-15 teaches receiving and processing, and modifying the Custom-IPG; Figure 2 teaches element 270 which is a processor in a set-top terminal. A processor inherently requires a

program running on it to display the IPG on the TV display and allow the viewer to make
custom updates).

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in
view of Lemmons (U.S. 6481011 B1) further in view of Waterhouse et al. (U.S. 5831663
B1) further in view of Hendricks et al. (U.S. 5734853 B1) further in view of Donahue et
al. (U.S. 6101180 B1).

Referring to claim 2, corresponding to claim 1, Bayrakeri, Schein, Waterhouse,
and Lemmons teach all the limitations in claim 1, but fail to teach wherein the
transmitting the environmental information from the TV to the server the environmental
information further includes TV address, server address, ID number, and viewer
selection environment information.

In an analogous art Hendricks teaches the step of transmitting the information
from the TV to the server, the information includes TV address (Figure 4b element 924'
Column 17 lines 54-55; and Column 18 lines 19-23), ID number (Figure 4b element
928'; Column 17 lines 58-60).

At the time the invention was made, it would have been obvious to a person of
ordinary skill in the art, to modify the combine methods of Bayrakeri, Schein,

Waterhouse, and Lemmons using the packet transmitting function/device of Hendricks

for the purpose of allowing the headend to know which set top box sent the information.

Bayrakeri, Schein, Waterhouse, Lemmons, and Hendricks fail to teach

transmitting the server address.

In an analogous art Donahue teaches transmitting the information from the TV to

the server, the information includes the server address (Column 7 lines 6-10 teaches a

data packet being transmitted in system Figure 2 that includes the server address).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combine methods of Bayrakeri, Schein,

Waterhouse, Lemmons, and Hendricks using the source address included in the packet

function/device of Donahue for the purpose of determining the next path to take based

on the source and destination address (Column 7 lines 17-18,Donahue).

Referring to claim 3, corresponding to claim 1, Bayrakeri teaches wherein in the

transmitting the download request of environmental information from the TV to the

server the download request includes the download request code (Column 25 lines 11-

13 teaches delivering an a custom-IPG and Column 25 lines 51-53 teaches upon

receiving a viewer selection, a determination being made of the particular selection

made so some type of code has to be sent in a request so the headend knows what to

do),

Bayrakeri, Schein, Waterhouse, and Lemmons fail to teach the method according

to claim 1, wherein in the step of transmitting the download request of environmental

information from the TV to the server, the download request includes TV address,

server address, ID number.

In an analogous art Hendricks teaches wherein in the step of transmitting the

download request of environmental information from the TV to the server, the download

request includes TV address (Figure 4b element 924' Column 17 lines 54-55; and

Column 18 lines 19-23), ID number (Figure 4b element 928'; Column 17 lines 58-60).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combine methods of Bayrakeri, Schein,

Waterhouse, and Lemmons using the packet transmitting function/device of Hendricks

for the purpose of allowing the headend to know which set top box sent the information.

Bayrakeri, Schein, Waterhouse, Lemmons and Hendricks fails to teach

transmitting the server address and download request code.

In an analogous art Danahue teaches the download request of environmental

information from the TV to the server, the environmental information includes the server

address (Column 7 lines 6-10 teaches a data packet being transmitted in system Figure

2 that includes the server address), but fails to teach transmitting the download request

code.

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combine methods of Bayrakeri, Schein,

Waterhouse, Lemmons, and Hendricks using the source address included in the packet

function/device of Donahue for the purpose of determining the next path to take based

on the source and destination address (Column 7 lines 17-18 Donahue).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bayrakeri

et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in view of

Lemmons (U.S. 6481011 B1) further in view of Waterhouse et al. (U.S. 5831663 B1) in

view of Hendricks et al. (U.S. 5734853 B1) further in view of Donahue et al. (U.S.

6101180 B1) further in view of LaRocca et al. (U.S. 6314572 B1).

Referring to claim 5, corresponding to claim 2, Bayrakeri, Schein, Waterhouse,

Lemmons, Hendricks, and Donahue teach all the limitations in claim 2, but fail to teach

the step of determining whether or not the viewer is registered based on the ID number

included in the environmental information received from the TV.

In an analogous art LaRocca teaches determining whether or not the viewer is

registered based on the ID number (Column 8 lines 64-67 and Column 9 lines 1-10

teaches a TID pin which is a set-top ID to determine if the subscriber has access which

is the same as determining if a subscriber is registered).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combined methods of Bayrakeri, Schein,

Waterhouse, Lemmons, Hendricks, and Donahue using the ID checking function/device

of LaRocca for the purpose providing SOD or service on demand services (Column 9

lines 18-19 LaRocca).

Claims 4,14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S.

6732369 B1) further in view of Lemmons (U.S. 6481011 B1) further in view of

Waterhouse et al. (U.S. 5831663 B1) further in view of Wehmeyer et al. (U.S. 6169543

B1).

Referring to claim 4, Bayrakeri, Schein, Waterhouse, and Lemmons teach all the

limitations in claim 1, but fail to teach the method further comprising the displaying the

initial menu in response to the viewer's request of environment setting from the TV

before the transmitting to the server.

In an analogous art Wehmeyer teaches the method further comprising the step of

outputting the initial menu in response to the viewer's request of environment setting

from the TV before the step of transmitting to the server (Column 11 lines 32-37;

Column 7 lines 61 –67 and Column 8 lines 1-3 teaches the EPG data being stored in

memory and generated from memory, so no transmission to the server would be

required to generate the initial menu).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify combine methods of Bayrakeri, Schein, Waterhouse, and Lemmons using the menu display before transmission function/device of Wehmeyer for the purpose of being able to customize a program guide with the first step in the method comprising storing program guide information into an electronic host device (Column 2 lines 50-53 Wehmeyer).

Referring to claim 14, Bayrakeri, Schein, Waterhouse, and Lemmons teach all the limitations in claim 11, but fail to teach the digital TV system according to claim 11, wherein the controller reads the initial menu from the memory for allowing the viewer to select the environmental information and provides onto a screen.

In an analogous art Wehmeyer teaches wherein the controller reads the initial menu from the memory for allowing the viewer to select the environmental information and provides onto a screen (Column 11 lines 7-10 and Column 11 lines 29-37 teaches storing and displaying the EPG).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combine systems of Bayrakeri, Schein, Waterhouse, and Lemmons using the menu display before transmission function/device of Wehmeyer for the purpose of being able to customize a program guide with the first step in the method comprising storing program guide information into an electronic host device (Column 2 lines 50-53 Wehmeyer).

Referring to claim 16, Bayrakeri teaches a digital TV device connected with a

server and a network (Figure 1 and Figure 2 and Column 5 lines 46-48 teaches a

display; Column 5 lines 26-29 teaches MPEG which is digital), the digital TV device

comprising:

input means for inputting a viewer's environmental information (Column 6 lines

49-54 teaches a remote control unit and Column 26 lines 24-25);

display means for providing the viewer with initial menu for selecting the

environmental information (Column 5 lines 46-48 teaches display means; Column 25

lines 16-19 teaches initially displaying the IPG);

network connecting means for transmitting the environmental information to the

server through the network and downloading the environmental information from the

server (Figure 1 element 104 is distribution network and Column 26 lines 30 – 41

teaches receiving an updated copy of a custom-IPG thus transferring information from

one source to another which is downloading); and

controlling means for executing the environment change program (Column 25

lines 13-14 teaches receiving and processing the Custom-IPG the examiner viewing

processing the same as executing) and changing former environments into the viewer's

environments if the environmental information is received from the network connecting

means through the network (Column 25 lines 1-9 teaches making modifications to the

custom-IPG and having the modifications take place at the head-end so the information

is input from the network; the network is element 104 in Figure 1),

wherein the environmental information comprises information related to channel

settings (Column 25 lines 46-47 teaches inclusion of a channel in an IPG);

but fails to teach storing means for storing the initial menu, environment change

program and changed environmental information, environmental information

adjustments related to broadcast reservation settings and environmental information

adjustments related to screen color, and the device occurring inside a TV.

In an analogous art Lemmons teaches environmental information adjustments

related to screen color settings (Column 5 lines 53-59 teaches using menus to adjust

the color of programs in the program guide).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the environment modifying the combine devices of

Bayreakeri and Lemmons using the color setting function/device of Lemmons for the

purpose of setting up a program guide indicative of a user's interests (Column 1 lines

62-63, Lemmons).

Bayrakeri and Lemmons fail to teach the device occurring inside a TV;

environmental information adjustments related to broadcast reservation settings; storing

means for storing the initial menu, environment change program and changed

environmental information.

In an analogous art Waterhouse teaches the device occurring inside a TV

(Column 3 lines 6-7 teaches an addressable unit inside a television set, Column 22-24

teaches the receiver box which the examiner views to be another term for a set top box located inside a television).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the environment modifying function/device of Bayrakeri using the combined TV and set-top box function/device of Waterhouse for the purpose of not needing a separate supply voltage to power the microprocessor in the set top terminal (Column 4 lines 24-24, Waterhouse).

Bayrakeri, Lemmons, and Waterhouse fail to teach environmental information adjustments related to broadcast reservation settings; storing means for storing the initial menu, environment change program and changed environmental information.

In an analogous art Schein teaches environmental information adjustments related to broadcast reservation settings (Column 16 lines 34-37 teaches setting reminders in to record or retrieve videos which is a type of broadcast reservation setting).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combine devices of Bayrakeri, Lemmons, and Waterhouse using the program reservation function/device of Schein for the purpose of making sure a consumer never misses a favorite program (Column 16 lines 37-38, Schein).

Bayrakeri, Lemmons, Waterhouse, and Schein fail to teach storing means for storing the initial menu, environment change program and changed environmental information.

In an analogous art Wehmeyer teaches storing means for storing the initial menu (Column 5 lines 57-66 teaches storing capabilities for the EPG data and graphics; Column 13 lines 2-10 teaches the menu being an initial menu), environment change program (Column 8 lines 1-3 teaches software control program which is viewed as being the same as environment change program by the examiner) and changed environmental information (Column 14 lines 16-25 teaches saving the modified EPG).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combine devices of Bayrakeri, Lemmons, Waterhouse, and Schein using the menu stored in memory for display function/device of Wehmeyer for the purpose of being able to customize a program guide with the first step in the method comprising storing program guide information into an electronic host device (Column 2 lines 50-53 Wehmeyer).

Referring to claim 17, corresponding to claim 16, Bayrakeri teaches receives the environmental information from the input means and controls to output the same to the network connecting means (Column 25 lines 44-47 teaches the user inputting a selection for a channel to be included in the IPG and Column 26 lines 24-27 teaches an input means by pressing buttons and sending the signals to the head end which requires them to go over a network).

In an analogous art Wehmeyer teaches for the same motivation as in claim 16, the device wherein the controlling means reads the initial menu from the memory and

outputs the same to the display (Column 5 lines 57-66 teaches displaying an EPG from

memory, the memory being in element 1160 in Figure 1, Column 13 lines 2-10 teaches

the menu being an initial menu)

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bayrakeri

et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in view of

Lemmons (U.S. 6481011 B1) further in view of Waterhouse et al. (U.S. 5831663 B1) in

view of Hendricks et al. (U.S. 5734853 B1) further in view of Donahue et al. (U.S.

6101180 B1) further in view of Dunn et al. (U.S. 5861906 B1).

Referring to claim 6, Bayrakeri, Schein, Waterhouse, Lemmons, Hendricks, and

Donahue teach all the limitations in claim 3, but fail to teach the method according to

claim 1, wherein the transmitting the environmental information from the server to the

TV includes: determining whether or not the viewer is registered based on the ID

number included in the download request received from the TV (see rejection of claim

5); and inquiring whether or not there is environmental information corresponding to the

ID number.

In an analogous art Dunn teaches inquiring whether or not there is environmental

information corresponding to the ID number (Column 8 lines 24-33 teaches checking

the database at the headend to see if a viewers ID corresponds to Program IDs; the

examiner views the program IDs as being related to IPG information).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combined method of Bayrakeri, Schein,

Waterhouse, Lemmons, Hendricks, and Donahue using the customer ID verification and

data lookup function/device of Dunn for the purpose of allowing when the headend

receives the viewer ID from the user interface unit, the headend can easily and quickly

searched to find all program Ids that correlate to the viewer ID (Column 8 lines 56-58

Dunn).

Claim 8 -10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in

view of Dunn et al. (U.S. 5861906 B1) further in view of Lemmons (U.S. 6481011 B1)

further in view of Waterhouse et al. (U.S. 5831663 B1).

Referring to claim 8, Bayrakeri teaches a method for controlling a viewer's

environment setting in a TV connected with a server and a network, the method

comprising: outputting an initial menu in response to a viewer's request of environment

setting (Column 24 lines 66-67 and Column 25 line 1 and Figure 1 teach modifying a

IPG initially by the viewer); transmitting a download request of environmental

information inputted by the viewer to the server based on the initial menu (Column 25

lines 7-11 teaches storing the IPG at the head end and then sending a request for data

by each change made in the IPG); receiving environmental information corresponding to

the download request from the server (Column 25 lines 13-14 teaches receiving the

IPG); and changing former environments into environments suitable for the viewer's

taste based on the downloaded environmental information (Column 25 lines 13-14

teaches processing and displaying the custom-IPG), wherein the environmental

information comprises information related the channel settings (Column 25 lines 46-47

teaches inclusion of a channel in an IPG);

but fails to teach wherein the environmental information is inquired from the

server based on an ID number of the viewer, environmental information comprises

information related to broadcast reservation settings and screen color settings, and the

method occurring inside a TV.

In an analogous art Dunn teaches wherein the information is inquired from the

server based on an ID number of the viewer (Column 6 lines 64-67 and Column 7 lines

1-4 teaches a user using an EPG; Column 8 lines 24-33 along with Figure 6 teaches

how at the head-end the programs in a user's customized list which are related to the

EPG are identified by a users ID number).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the environment modifying function/device of Bayrakeri

using the customer ID data lookup function/device of Dunn for the purpose of allowing

when the headend receives the viewer ID from the user interface unit the headend can

easily and quickly searched to find all program Ids that correlate to the viewer ID

(Column 8 lines 56-58 Dunn).

Bayrakeri and Dunn fail to teach environmental information comprises information related to broadcast reservation settings and screen color settings, and the method occurring inside a TV.

In an analogous art Schein teaches environmental information adjustments related to broadcast reservation settings (Column 16 lines 34-37 teaches setting reminders in to record or retrieve videos which is a type of broadcast reservation setting).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined methods of Bayrakeri and Dunn using using the program reservation function/device of Schein for the purpose of making sure a consumer never misses a favorite program (Column 16 lines 37-38, Schein).

Bayrakeri Dunn, and Schein fail to teach environmental information comprises information related to broadcast reservation settings, and the method occurring inside a TV.

In an analogous art Lemmons teaches environmental information adjustments related to screen color settings (Column 5 lines 53-59 teaches using menus to adjust the color of programs in the program guide).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined methods of Bayrakeri Dunn, Schein using the color setting function/device of Lemmons for the purpose of setting up a program guide indicative of a user's interests (Column 1 lines 62-63, Lemmons).

Bayrakeri Dunn, Schein, and Lemmons fail to teach the TV includes all the mehtod occurring inside a TV.

In an analogous art Waterhouse teaches the method occurring inside a TV (Column 3 lines 6-7 teaches an addressable unit inside a television set, Column 22-24 teaches the receiver box which the examiner views to be another term for a set top box located inside a television).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined methods of Bayrakeri Dunn, Schein, and Lemmons using the combined TV and set-top box function/device of Waterhouse for the purpose of not needing a separate supply voltage to power the microprocessor (Column 4 lines 24-24, Waterhouse).

Referring to claim 9, corresponding to claim 1, Bayrakeri teaches further comprising transmitting the environmental information selected by the viewer using the initial menu before the transmitting the download request of environmental information to the server (Column 26 lines 30-36 teaches transmitting selection of a set of channels which the examiner views as environmental information to the headend; Column 25 lines 16-23 along with Figure 3A teaches a menu screen to make changes of the IPG; Figure 1 is a depiction of the headend and Column 4 lines 50-56 teach the headend having a server),

but Bayrakeri, Schein, Lemmons, and Waterhouse fail to teach wherein the

environmental information is stored in the server corresponding to the viewer's ID

number.

In an analogous art Dunn teaches wherein the information is stored in the server

corresponding to the viewer's ID number (Column 6 lines 64-67 and Column 7 lines 1-4

teaches a user using an EPG; Column 8 lines 24-33 along with Figure 6 teaches how at

the head-end the programs in a user's customized list which are related to the EPG are

identified by a users ID number).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art, to modify the combined methods of Bayrakeri, Schein, Lemmons, and

Waterhouse using the customer ID data lookup function/device of Dunn for the purpose

of allowing when the headend receives the viewer ID from the user interface unit the

headend can easily and quickly searched to find all program Ids that correlate to the

viewer ID (Column 8 lines 56-58 Dunn).

Referring to claim 10, Bayrakeri teaches a method for providing a viewer's

environments from a server connected with a TV and a network to the TV, the method

comprising: receiving environmental information selected by the viewer (Column 25

lines 7-8);

receiving a download request of environmental information inputted by the viewer

from the TV (Column 25 lines 11-13);

wherein the environmental information comprises information related t the

channel settings (Column 25 lines 46-47 teaches inclusion of a channel in an IPG);

but fails to teach storing the environmental information corresponding to an ID

number of the viewer; inquiring whether or not there is the viewer's environmental

information based on the ID number included in the download request; reading the

environmental information corresponding to the ID number when the viewer's

environmental information is inquired and transmitting the read environmental

information to the TV; wherein environmental information comprises information related

to broadcast reservation settings and screen color settings, and the method occurring

inside a TV.

In an analogous art Dunn teaches storing the information corresponding to an ID

number of the viewer (Column 6 lines 64-67 and Column 7 lines 1-4 teaches a user

using an EPG; Column 8 lines 24-33 along with Figure 6 teaches how at the head-end

the programs in a user's customized list which are related to the EPG are identified by a

users ID number);

inquiring whether or not there is the viewer's information based on the ID number

included in the download request (Column 13 lines 4-11); reading the information

corresponding to the ID number when the viewer's information is inquired (Column 13

lines 15-17 teaches the programs records are transmitted that correspond to the ID

number so the programs records are read); and transmitting the read environmental

information to the TV (Column 13 lines 15-21).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the environment modifying function/device of Bayrakeri using the customer ID data lookup function/device of Dunn for the purpose of allowing when the headend receives the viewer ID from the user interface unit the headend can easily and quickly searched to find all program Ids that correlate to the viewer ID (Column 8 lines 56-58 Dunn).

Bayrakeri and Dunn fail to teach wherein environmental information comprises information related to broadcast reservation settings and screen color settings, and the method occurring inside a TV.

In an analogous art Schein teaches environmental information adjustments related to broadcast reservation settings (Column 16 lines 34-37 teaches setting reminders in to record or retrieve videos which is a type of broadcast reservation setting).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined methods of Bayrakeri and Dunn using the program reservation function/device of Schein for the purpose of making sure a consumer never misses a favorite program (Column 16 lines 37-38, Schein).

Bayrakeri, Dunn, and Schein fail to teach environmental information comprises information related screen color settings, and the method occurring inside a TV.

In an analogous art Lemmons teaches environmental information adjustments related to screen color settings (Column 5 lines 53-59 teaches using menus to adjust the color of programs in the program guide).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined methods of Bayrakeri Dunn, and Schein using the color setting function/device of Lemmons for the purpose of setting up a program guide indicative of a user's interests (Column 1 lines 62-63, Lemmons).

Bayrakeri, Dunn, Schein, and Lemmons fail to teach the method occurring inside a TV.

In an analogous art Waterhouse teaches the method occurring inside a TV (Column 3 lines 6-7 teaches an addressable unit inside a television set, Column 22-24 teaches the receiver box which the examiner views to be another term for a set top box located inside a television).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined methods of Bayrakeri, Dunn, Schein, and Lemmons using the combined TV and set-top box function/device of Waterhouse for the purpose of not needing a separate supply voltage to power the microprocessor (Column 4 lines 24-24, Waterhouse).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in view of Lemmons (U.S. 6481011 B1) further in view of Waterhouse et al. (U.S. 5831663 B1) in view of Hendricks et al. (U.S. 5861906 B1).

Referring to claim 13, Bayrakeri, Schein, Waterhouse, Lemmons, teach all the

limitations in claim 12, but fail to teach wherein the memory includes at least one of an

EEPROM, a flash ROM.

In an analogous art Hendricks teaches wherein the memory includes at least one

of an EEPROM, and a flash ROM (Column 17 lines 14-17).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combined system of Bayrakeri, Schein,

Waterhouse, Lemmons using the memory function/device of Hendricks for the purpose

providing the desired flexibility in the menu format while still limiting the amount of

information needed to be communicated via the program control information signal

(Column 17 lines 17-20 Hendricks)

Claims 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in

further in view of Lemmons (U.S. 6481011 B1) further in view of Waterhouse et al. (U.S.

5831663 B1) further view of Dunn et al. (U.S. 5861906 B1) further in view of LaRocca et

al. (U.S. 6314572 B1).

Referring to claim 15, Bayrakeri, Schein, Waterhouse, Lemmons teach all the

limitations in claim 11, but fail to teach the digital TV system wherein the server

includes: a viewer confirmation part for confirming whether or not the viewer is

registered; a viewer request determining part for determining the request received from

the controller if the viewer is registered; a database inquiry part for inquiring the viewer's

environmental information based on the ID number if the request is the download

request of environmental information; and a database for storing the environmental

information selected by the viewer to correspond to the ID number.

In an analogous art LaRocca teaches a viewer confirmation part for confirming

whether or not the viewer is registered (Column 8 lines 64-67 and Column 9 lines 1-10

teaches a TID pin which is a set-top ID to determine if the subscriber has access which

is the same as determining if a subscriber is registered), a viewer request determining

part for determining the request received from the controller if the viewer is registered

(Column 10 lines 36-40 teaches the subscriber terminal sending IPG related data to the

video session manager, element 122 in Figure 1; Server element 125 in element 122

then sends back down an IPG related packet of information to the user terminal, thus

the session manager had to determine the category request from the subscriber in order

to send the correct category packet to the subscriber, so the session manager has a

request determining part).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art, to modify the combined systems of Bayrakeri, Schein,

Waterhouse, and Lemmons using the viewer confirmation and request function/device

of LaRocca for the purpose of providing SOD or service on demand services (Column 9

lines 18-19 LaRocca).

Bayrakeri, Schein, Waterhouse, Lemmons, and LaRocca fail to teach a database inquiry part for inquiring the viewer's environmental information based on the ID number if the request is the download request of environmental information; and a database for storing the environmental information selected by the viewer to correspond to the ID number.

In an analogous art Dunn teaches database inquiry part for inquiring the viewer's information based on the ID number if the request is the download request of information (Column 7 lines 56-66 teaches download IPG related information based on the user ID number); and a database for storing the environmental information selected by the viewer to correspond to the ID number (Column 8 lines 24-33 teaches checking the database at the headend to see if a viewers ID corresponds to Program IDs; the examiner views the program IDs as being related to IPG information).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the combined systems of Bayrakeri, Schein, Waterhouse, Lemmons, and LaRocca using the database inquiring and storage based on viewers ID number function/device of Dunn purpose of allowing when the headend receives the viewer ID from the user interface unit the headend can easily and quickly searched to find all program Ids that correlate to the viewer ID (Column 8 lines 56-58 Dunn).

Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Bayrakeri et al. (U.S. 6904610 B1) in view of Schein et al. (U.S. 6732369 B1) further in

view of Dunn et al. (U.S. 5861906 B1) further in view of Lemmons (U.S. 6481011 B1).

Referring to claim 18, Bayrakeri teaches a server system comprising: a memory

for storing a program (Figure 1 element 122 teaches an information server which is

considered a computer which would have to have a program running on it to operate);

a processor connected to the memory the program when executed causing the

processor to perform (A server/computer element 122 in Figure 1 requires a processor

to operate and a processor requires a program to operate and a program has to be

stored in memory so the processor inherently requires so type of connection to some

type of memory):

receiving environmental information selected by a viewer (Column 26 lines

30-36 teaches sending up custom-IPG related data to the head-end which Figure

1 shows the data would have to go through element 120 to enter the head-end);

storing the environmental information (Column 25 lines 7-8 teaches the

custom-IPG is stored a the headend to the enviromental information would have

to be stored at the headend)

receiving a download request of environmental information inputted by the

viewer (Column 25 lines 11-13 teaches delivering the custom IPG to the user

upon request);

teaches a processor using a program to transmit the read environmental

information to a TV (Column 25 lines 11-15 teaches delivering the custom-IPG to

a set-top-box and displaying the EPG; Column 5 lines 45-48, Column 6 line 30

and Figure 2 teaches element 272 a microprocessor which inherently requires

programming to operate);

wherein the environmental information comprises information related the

channel settings (Column 25 lines 46-47 teaches inclusion of a channel in an

IPG);

but fails to teach a memory for storing a database, storing the

environmental information corresponding to the viewer's ID number; inquiring

whether or not there is the viewer's environmental information based on the ID

number included in the download request; and reading the environmental

information corresponding to the ID number if the viewer's environmental

information is inquired; wherein environmental information comprises information

related to broadcast reservation settings and screen color settings.

In an analogous art Dunn teaches a memory for storing a database (Column 5

lines 36-39 teaches a database in the headend) storing information corresponding to

the viewer's ID number (Column 8 lines 24-33 teaches checking the database at the

headend to see if a viewers ID corresponds to Program IDs; the examiner views the

program IDs as being related to IPG information and for the rest of the processor

limitations Figure 1 element 44 teaches a server which inherently needs a program operating on it to function);

a processor using a program to inquire whether or not there is the viewer's information based on the ID number included in the download request (Column 13 lines 4-11 teaches locating records that correspond to the ID number);

a processor using a program to read the information corresponding to the ID number if the viewer's information is inquired (Column 8 lines 56-61 teaches finding programs that related to the viewer ID and Figure 1 element 44 teaches a server which inherently needs a program operating on it to function).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the environment modifying function/device of Bayrakeri using the processor performing by use of a program the storing, inquiring, and reading by use of the users ID number function/device of Dunn for the purpose of allowing when the headend receives the viewer ID from the user interface unit the headend can easily and quickly searched to find all program Ids that correlate to the viewer ID (Column 8 lines 56-58 Dunn).

Bayrakeri and Dunn fail to teach storing environmental information comprises information related to broadcast reservation settings and screen color settings.

In an analogous art Schein teaches environmental information adjustments related to broadcast reservation settings (Column 16 lines 34-37 teaches setting reminders in to record or retrieve videos which is a type of broadcast reservation setting).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined system of Bayrakeri and Dunn using the program reservation function/device of Schein for the purpose of making sure a consumer never misses a favorite program (Column 16 lines 37-38, Schein).

Bayrakeri, Dunn, and Schein fail to teach environmental information adjustments related to screen color settings.

In an analogous art Lemmons teaches environmental information adjustments related to screen color settings (Column 5 lines 53-59 teaches using menus to adjust the color of programs in the program guide).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the combined system of Bayrakeri, Dunn, and Schein using the color setting function/device of Lemmons for the purpose of setting up a program guide indicative of a user's interests (Column 1 lines 62-63, Lemmons).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter C. Wilder whose telephone number is 571-272-

2826. The examiner can normally be reached on 8 AM - 4PM Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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